

AMENDED IN SENATE MARCH 25, 2011

SENATE BILL

No. 668

Introduced by Senator Evans

February 18, 2011

~~An act relating to land use.~~ *An act to add and repeal Section 51257.5 of the Government Code, relating to agricultural land.*

LEGISLATIVE COUNSEL'S DIGEST

SB 668, as amended, Evans. Local government: Williamson Act.

The California Land Conservation Act of 1965, otherwise known as the Williamson Act, authorizes cities and counties to enter into *10-year* contracts with landowners whereby the landowner agrees to restrict the use of his or her land in exchange for a reduced property taxation rate. Under existing law, the city or county receives a subvention for the property tax revenue lost as a result of these contracts.

This bill would, until January 1, 2016, authorize an open-space district, a land-trust organization, or a nonprofit entity to enter into a contract with a landowner who has also entered into a Williamson Act contract, upon approval of the city or county that holds the Williamson Act contract, to keep that landowner's land in contract under the Williamson Act, for a period of up to 10 years in exchange for the open-space district's, land-trust organization's, or nonprofit entity's payment of all or a portion of the foregone property tax revenue to the county, where the state has failed to reimburse the city or county for property tax revenues not received as a result of Williamson Act contracts.

~~This bill would express the intent of the Legislature to enact legislation that would authorize local governments to accept donations from private~~

entities to offset any reduced amount the local government receives in subvention payments for Williamson Act contracts.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 51257.5 is added to the Government Code,
2 to read:
3 51257.5. (a) If the state fails to make payments to a city or
4 county pursuant to Section 16142 or 16142.1, a city or county may
5 accept contributions from an open-space district, a land-trust
6 organization, or a nonprofit entity for specific land under a
7 contract within the city or county to supplement foregone property
8 tax revenues pursuant to this section.
9 (b) (1) An open-space district, land-trust organization, or
10 nonprofit entity may contract with an owner of land currently
11 under a contract pursuant to this chapter, upon approval of the
12 contract by the city or county, for a period of up to 10 years, to
13 keep the land owner's property under contract with the county
14 pursuant to this chapter, in exchange for the contribution by the
15 open-space district, land-trust organization, or nonprofit entity's
16 payment of all or a portion of the foregone property tax revenue
17 to the city or county.
18 (2) A contract entered into pursuant to this subdivision shall
19 be subject to any limitation in power of an open-space district,
20 land-trust organization, or nonprofit entity.
21 (3) A contract entered into pursuant to this subdivision shall
22 not authorize or require the conversion of land subject to the
23 contract into a mitigation bank site.
24 (c) Notwithstanding subdivision (a), the city or county may use
25 up to 5 percent of the total amount contributed by an open-space
26 district, land-trust organization, or nonprofit entity for
27 administrative purposes.
28 (d) (1) This section shall remain in effect only until January 1,
29 2016, and as of that date is repealed, unless a later enacted statute,
30 that is enacted before January 1, 2016, deletes or extends that
31 date.
32 (2) A contract entered into pursuant to this section shall remain
33 in force until the termination date of the contract, but may contain

1 *a provision to authorize the mutual cancellation or renegotiation*
2 *of the contract on January 1, 2016, or upon the resuming of*
3 *payments pursuant to Section 16142 or 16142.1 by the state to the*
4 *city or county.*

5 ~~SECTION 1. It is the intent of the Legislature to enact~~
6 ~~legislation that would authorize local governments to accept~~
7 ~~donations from private entities to offset any reduced amount the~~
8 ~~local government receives in subvention payments for Williamson~~
9 ~~Act contracts.~~

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